

ANTARCTIC TREATY

Signed at Washington December 1, 1959

Measures (3) adopted at the

Twenty-sixth Antarctic Treaty Consultative Meeting

Madrid, June 9-20, 2003

Effective Date: September 18, 2003,^{*} for Measures 2 and 3
October 6, 2009, for Measure 1

State	Date of Government's Approval, as notified to Government of the United States of America ^{**}
Argentina	May 14, 2004 ¹
Australia	Sept. 22, 2006 ¹
Belgium	January 29, 2004
Brazil	May 25, 2006 ² October 6, 2009 ¹
Bulgaria	April 28, 2004 ¹
Chile	June 5, 2007
China	May 4, 2004
Ecuador	November 12, 2008 ¹
Finland	September 22, 2004 ¹
France	March 20, 2006 ¹
Germany	February 23, 2005 ¹ April 28, 2005 ⁴
India	December 7, 2005

* Date on which the Management Plans annexed to Measure 2 and the revised and updated List of Historic Sites and Monuments annexed to Measure 3 were deemed to have been approved in accordance with Article 6, paragraph 1 and Article 8, paragraph, 2, respectively, of Annex V to the Protocol on Environmental Protection to the Antarctic Treaty. Article 6, paragraph 1, of Annex V provides that ". . . Management Plans may be approved by the Antarctic Treaty Consultative Parties by a measure adopted at an Antarctic Treaty Consultative Meeting in accordance with Article IX(1) of the Antarctic Treaty. Unless the measure specifies otherwise, the Plan shall be deemed to have been approved 90 days after the close of the Antarctic Treaty Consultative Meeting at which it was adopted, unless one or more of the Consultative Parties notifies the Depositary, within that time period, that it wishes an extension of that period or is unable to approve the measure." The Measure did not specify a different approval method.

Article 8, paragraph 2 of Annex V provides that "Any Party may propose a site or monument of recognized historic value . . . for listing as a Historic Site or Monument. The proposal for listing may be approved by the Antarctic Treaty Consultative Parties by a measure adopted at an Antarctic Treaty Consultative Meeting in accordance with Article IX(1) of the Antarctic Treaty. Unless the measure specifies otherwise, the proposal shall be deemed to have been approved 90 days after the close of the Antarctic Treaty Consultative Meeting at which it was adopted, unless one or more of the Consultative Parties notifies the Depositary, within that time period, that it wishes an extension of that period or is unable to approve the measure." The Measure did not specify a different approval method.

** The date of the Government's approval is considered to be the date of that Government's notification of such approval to other Governments, unless stated otherwise therein. If the notification states that the Government had approved the Measure on an earlier date, that date is listed as the date of the Government's approval.

Status of ATCM XXVI Measures

State	Date of Government's Approval, as notified to Government of the United States of America
Italy	November 18, 2008 ¹⁷
Japan	May 24, 2004
Korea, Rep. of	April 10, 2007 ¹
Netherlands	July 15, 2005 ⁶
New Zealand	November 18, 2003
Norway	August 21, 2006 ¹
Peru	July 18, 2006 ¹
Poland	January 15, 2009
Russian Federation	June 10, 2005 ⁵
South Africa	May 11, 2005
Spain	June 15, 2007 ¹
Sweden	May 11, 2005
United Kingdom	May 6, 2004 ² November 13, 2007 ¹
United States	June 13, 2005 ¹
Uruguay	August 10, 2004 ³ February 15, 2007 ¹

1. Approval is for Measure 1 only.
2. Approval is for Measures 2 and 3 only.
3. Approval is for Measure 3 only.
4. Approval of Measures 1, 2 and 3.
5. Approval is for Measures 1 and 2 only.
6. For the Kingdom in Europe, the Netherlands Antilles and Aruba.

The Royal Netherlands Embassy in Washington transmitted to the Department of State a diplomatic note, dated October 6, 2010, which reads in pertinent part as follows:

Status of ATCM XXVI Measures

"The Kingdom of the Netherlands currently consists of three parts: the Netherlands, the Netherlands Antilles and Aruba. The Netherlands Antilles consists of the islands of Curaçao, Sint Maarten, Bonaire, Sint Eustatius and Saba.

"With effect from 10 October 2010, the Netherlands Antilles will cease to exist as a part of the Kingdom of the Netherlands. From that date onwards, the Kingdom will consist of four parts: the Netherlands, Aruba, Curaçao and Sint Maarten. Curaçao and Sint Maarten will enjoy internal self-government within the Kingdom, as Aruba and, up to 10 October 2010, the Netherlands Antilles do.

"These changes constitute a modification of the internal constitutional relations within the Kingdom of the Netherlands. The Kingdom of the Netherlands will accordingly remain the subject of international law with which agreements are concluded. The modification of the structure of the Kingdom will therefore not affect the validity of the international agreements ratified by the Kingdom for the Netherlands Antilles; these agreements will continue to apply to Curaçao and Sint Maarten.

"The other islands that have until now formed part of the Netherlands Antilles – Bonaire, Sint Eustatius and Saba – will become part of the Netherlands, thus constituting 'the Caribbean part of the Netherlands'. The agreements that now apply to the Netherlands Antilles will also continue to apply to these islands; however, the Government of the Netherlands will now be responsible for implementing these agreements."

7. The note from the Embassy of Italy conveying Italy's approval of Measure 1 included the following:

"On behalf of the Government of Italy, this Embassy notes that with respect to Article 5 of Measure 1 (2003) creating the Secretariat of the Antarctic Treaty, the Republic of Italy informs that it does not recognize privileges and immunities for the Secretariat or its staff in the territory of Italy."

Department of State,
Washington, January 25, 2013.